



PUBLIC NOTICE

Federal Communications Commission
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**WIRELINE COMPETITION BUREAU SEEKS COMMENT ON PETITION OF UNITED STATES TELECOM ASSOCIATION FOR WAIVER FROM APPLICATION OF THE EQUAL ACCESS SCRIPTING REQUIREMENT
PLEADING CYCLE ESTABLISHED**

WC Docket No. 08-225

Comment Date: September 11, 2009

Reply Comment Date: September 25, 2009

The United States Telecom Association (USTA) filed a petition on November 10, 2008 with the Commission on behalf of its small and mid-sized carrier member companies, requesting that the Commission waive application of the equal access scripting requirement to these companies.¹ Specifically, the petition requests a waiver of the requirement that incumbent local exchange carriers advise customers requesting new telephone exchange service that they have a choice of long distance provider, and read these customers a random-ordered list of available stand-alone wireline long distance service providers, upon request.²

We invite comment on the *USTA Petition*. We also ask interested parties to comment on whether the Commission should forbear from application of the equal access scripting requirement to small and mid-sized carriers. Interested parties may file comments on or before **September 11, 2009** and reply comments on or before **September 25, 2009**. All pleadings should reference WC Docket No. 08-225.

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Suite TW-A325, Washington, D.C. 20554. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.

¹ Petition of the United States Telecom Association for Waiver from Application of the Equal Access Scripting Requirement, WC Docket No. 08-225 (filed Nov. 10, 2008) (USTA Petition). In its petition, USTA notes that "AT&T, Verizon, and Qwest and their ILEC affiliates were previously granted relief from the EA Scripting Requirement." *Id.* at 1.

² This requirement "was created pursuant to the Modified Final Judgment (MFJ) applicable to Bell companies, expanded to remaining carriers . . . and preserved under the 1996 Telecommunications Act, at section 251(g)[, 47 U.S.C. § 251(g).]" USTA Petition at 1-2.

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments.
 - ECFS filers must transmit one electronic copy of the comments for WC Docket No. 08-225. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message: get form <your e-mail address>. A sample form and directions will be sent in response.
- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Parties should also send a copy of their filings to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554, or by e-mail to CPDcopies@fcc.gov. Parties shall also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They are also available through the Commission's Electronic Comment Filing System (ECFS) accessible on the Commission's web site, <http://www.fcc.gov/cgb/ecfs>. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C., 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at fcc@bcpiweb.com.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), or (202) 418-0432 (TTY).

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. See 47 C.F.R. §§ 1.1200, *et seq.* Persons making oral *ex parte*

presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented generally is required. *See* 47 C.F.R. § 1.1206(b)(2). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in Section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b).

For further information, contact Claudia Pabo, Competition Policy Division, Wireline Competition Bureau, at (202) 418-1595.

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